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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JOHN DOE,

9 Plaintiff,

10 v.

11 SEATREE PLLC, et al.,

12 Defendants.

C17-1572 TSZ

MINUTE ORDER

13 The following Minute Order is made by direction of the Court, the Honorable
14 Thomas S. Zilly, United States District Judge:

15 (1) This matter comes before the Court on “Plaintiff’s Motion to Enlarge Time
16 to Reply Re: Defendant’s CR 12 (b)(6) Motion to Dismiss[,]” docket no. 17 (the
17 “Motion”), filed on November 22, 2017 and noted for December 1, 2017. Plaintiff’s
18 Motion is DENIED as follows. Plaintiff seeks an extension of time to file a response to
19 “Defendants James Namiki’s and SeaTree PLLC’s 12(b)(1) Motion to Dismiss[,]” docket
no. 9, “until mid-to-late January.” Motion at 3. Plaintiff’s response to the motion to
dismiss, which was filed on November 9, 2017 and noted for December 1, 2017 was
otherwise due on November 27, 2017. *See* Local Civil Rule 7(d)(3). Plaintiff’s counsel
specifically states that he filed this Motion late “due to a heavily overloaded schedule”
but “as soon as he became aware of the need for additional time” Motion at 3. The
rule governing this Motion, Local Civil rule 7(j), states in relevant part:

20 A motion for relief from a deadline should, whenever possible, be filed
21 sufficiently in advance of the deadline to allow the court to rule on the
22 motion prior to the deadline. Parties should not assume that the motions
23 will be granted and must comply with the existing deadline unless the court
orders otherwise.

1 If a true, unforeseen emergency exists that prevents a party from meeting a
2 deadline, and the emergency arose too late to file a motion for relief from
3 the deadline, the party should contact the adverse party, meet and confer
4 regarding an extension, and file a stipulation and proposed order with the
court. Alternatively, the parties may use the procedure for telephonic
motions in LCR 7(i). It is expected that if a true emergency exists, the
parties will stipulate to an extension.

5 Plaintiff fails to demonstrate good cause as to why he did not file this straightforward
6 Motion within the timeframe prescribed in Rule 7(j). Plaintiff has not informed the Court
7 why he did not comply with the existing deadline in violation of Rule 7(j) or,
8 alternatively, why he did not confer with opposing counsel in an effort to file a stipulation
9 or pursue a telephonic motion. Nor does Plaintiff establish good cause for granting the
requested relief. The motion to dismiss is noncomplex and contains only five pages of
argument. Plaintiff has not explained why he needs until January to respond to the
motion to dismiss and has failed to meet his burden to show why this extension is
necessary. This Motion is DENIED and the Court will treat the pending motion to
dismiss as unopposed.

10 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
11 record.

12 Dated this 7th day of December, 2017.

13 William M. McCool
14 Clerk

15 s/Karen Dews
16 Deputy Clerk
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